

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FRED P. CAMPO, Individually, and On
Behalf of All Others Similarly Situated, et al.

Plaintiff,

- against -

06 Civ. 4053 (JES)

SEARS HOLDINGS CORPORATION and
EDWARD S. LAMPERT,

ORDER

Defendants.
-----X

The above-captioned action having come before the Court, and defendants having submitted their Motion to Dismiss dated August 3, 2007, and plaintiffs having submitted their Opposition to defendants' Motion dated October 4, 2007, and defendants having submitted their Reply to plaintiffs' Opposition dated November 9, 2007, the Court having held Oral Argument on such Motion on April 15, 2008, and the Court having considered all matters raised, it is

ORDERED that, for the reasons stated on the record at the aforementioned Oral Argument, defendants' Motion to Dismiss shall be and hereby is denied without prejudice; and it is further

ORDERED that defendants' discovery in the above-captioned action shall be completed on or before June 15, 2008; and it is further

ORDERED that thereafter plaintiffs' discovery in the above-captioned action shall be completed on or before August 15, 2008; and it is further

ORDERED that a Pre-Trial Conference shall occur on September 23, 2008 at 3:00 p.m. in Courtroom 14C, 500 Pearl Street.

Dated: New York, New York
April 16, 2008


John E. Sprizzo
United States District Judge